

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-2460

ALLEN WILLIAMS,

Plaintiff - Appellant,

versus

UNITED STEELWORKERS OF AMERICA, AFL-CIO/CLC,

Defendant - Appellee.

Appeal from the United States District Court for the Middle
District of North Carolina, at Durham. Frank W. Bullock, Jr.,
District Judge. (CA-01-572-1)

Submitted: August 19, 2003

Decided: April 16, 2004

Before WILKINSON, LUTTIG, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Romallus O. Murphy, Sr., Greensboro, North Carolina, for Appellant.
Richard P. Rouco, WHATLEY DRAKE, LLC, Birmingham, Alabama, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Allen Williams appeals the district court's order granting summary judgment in favor of United Steelworkers of America, AFL-CIO/CLC ("USWA"), on his complaint alleging violations of the Labor-Management Reporting and Disclosure Act (LMRDA), 29 U.S.C. §§ 411(a)(2), 412, 529, and race discrimination in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C.A. §§ 2000e to 2000e-17 (West 1994 & Supp. 2002) and 42 U.S.C. § 1981 (2000). Williams does not raise the Title VII and § 1981 claims on appeal.

We review a grant of summary judgment de novo. Higgins v. E.I. DuPont de Nemours & Co., 863 F.2d 1162, 1167 (4th Cir. 1988). Summary judgment is appropriate only if there are no material facts in dispute and the moving party is entitled to judgment as a matter of law. Fed. R. Civ. P. 56(c); Celotex Corp. v. Catrett, 477 U.S. 317, 322 (1986). We view the evidence in the light most favorable to the non-moving party. Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 255 (1986).

We have reviewed the parties' briefs, the joint appendix, and the district court's order. We conclude the district court properly concluded Williams failed to establish that removal from the office of president of the Local union and the decision to impose an administratorship were a direct result of his speech against display of the Confederate flag. See Sheet Metal Workers'

Int'l Assoc. v. Lynn, 488 U.S. 347, 354 (1989). Accordingly, we affirm on the reasoning of the district court. See Williams v. United Steelworkers of Amer., AFL-CIO/CLC, No. CA-01-572-1 (M.D.N.C. Oct. 31, 2002). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED